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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,075	02/16/2001	Michael Brandt Handler	202585US8	4898

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ALEXANDRIA, VA 22314

EXAMINER
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ZHONG, CHAD

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/27/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/784,075

Applicant(s)

HANDLER ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. Claims 1 – 38 are presented for examination.
2. The disclosure is objected to because of the following informalities:  
pg 36, line 10, S1404 should be changed to S1405.
3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Proper cross reference data must be updated, appropriate corrections required.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-6, 8-9, 11-19, 21-22, 24-29, 31-32, 34-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahlmann, US 6,487,594.

6. As per claim 1, Bahlmann teaches a system for self-authenticating a first end-user connected to a common network and a second end-user connected to the common network, the first end-user being a customer of a first service provider of multiple service providers and the second end-user being a customer of a second service provider of multiple service providers, comprising:

a digital repository populated with

service provider entries including information about the first service provider and other information about the second service provider (Col. 2, lines 13-24, lines 30-39),

end-user entries including information about the first end-user and other information about the second end-user, each of the end-user entries being associated with at least one service provider entry (Col. 2, lines 13-24, lines 30-39; Col. 3, lines 5-25), and

service description entries including information about a level of service purchased by an end-user from a service provider, each of the service description entries being associated with an end-user entry (Col. 3, lines 5-25);

a processor; and

a computer readable medium encoded with processor readable instructions that when executed by the processor implement (Col. 3, lines 5-25),

network, the new device being associated with one of the first end-user and the second end-user (Fig 1; Col. 3, lines 5-25, lines 40-47, lines 57-62),

a bandwidth allocation mechanism configured to allocate limited bandwidth on the common network to the new device and to provide access to an end-user authentication mechanism (Col. 4, lines 18-22, lines 30-44),

the end-user authentication mechanism configured to obtain identification information from the one of the first end-user and the second end-user (Col. 4, lines 18-22),

a service determination mechanism configured to query the digital repository to determine the level of service purchased by the one of the first end-user and the second end-user from a respective one of the multiple service providers based on information obtained by the end-user authentication mechanism (Col. 3, lines 5-25; Col. 4, lines 18-22),

a service allocation mechanism configured to provide the level of service purchased to the one of the first end-user and the second end-user authenticated by the end-user authentication mechanism (Col. 3, lines 5-25; Col. 4, lines 18-22, lines 35-44).

7. As per claim 2, Bahlmann teaches the system of claim 1, wherein the digital repository comprises a database (Col. 2, lines 10-15).

8. As per claim 3, Bahlmann teaches the system of claim 1, wherein the common network comprises a network dedicated to broadband data transport services (Col. 3, lines 30-36).

9. As per claim 4, Bahlmann teaches the system of claim 3, wherein the data transport services comprise at least one of Internet access, voice over IP, and video on demand (Col. 3, lines 30-36).

10. As per claim 5, Bahlmann teaches the system of claim 1, wherein the common network comprises an open access network (Col. 4, lines 36-44).

11. As per claim 6, Bahlmann teaches the system of claim 1, wherein at least a portion of the common network comprises an Internet protocol network (Col. 3, lines 30-33).
12. As per claim 8, Bahlmann teaches the system of claim 1, wherein at least one of the multiple service providers comprises an Internet service provider (Col. 2, lines 35-40).
13. As per claim 9, Bahlmann teaches the system of claim 1, wherein at least a portion of the common network comprises a Data Over Cable Service Interface Specification network (Col. 3, lines 30-35).
14. As per claim 11, Bahlmann teaches the system of claim 1, wherein the bandwidth allocation mechanism is further configured to direct an end-user to the end-user authentication mechanism using a wildcard Domain Name System technique to resolve an end-user Domain Name System address resolution request to an IP address of the end-user authentication mechanism (Col. 6, lines 1-15; Col. 4, lines 18-22, lines 35-44).
15. As per claim 12, Bahlmann teaches the system of claim 1, wherein the bandwidth allocation mechanism is further configured to use a policy-based routing to direct an end-user to the end-user authentication mechanism (Col. 3, lines 5-25; Col. 4, lines 18-22, lines 35-44).
16. As per claim 13, Bahlmann teaches the system of claim 1, wherein the bandwidth allocation mechanism is further configured to use at least one of a Layer Two Tunneling Protocol and policy-based routing to direct an end-user to the end-user authentication mechanism (Col. 3, lines 5-25; Col. 4, lines 18-22, lines 35-44).
17. As per claim 14, Bahlmann teaches the system of claim 1 wherein the bandwidth allocation mechanism is further configured to set IP address filters at an end-user device to block addresses other

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than an IP address of the end-user authentication mechanism (Col. 3, lines 3-25, lines 30-36; Col. 4, lines 30-44).

18. As per claim 15-19, 21-22, Claims 15-19 and 21-22 are rejected for the same reasons as rejection to claims 1, 3-6, 8-9 above respectively.

19. As per claim 24-25, Claims 24-25 are rejected for the same reasons as rejection to claim 1 above.

20. As per claim 26-29, 31-32, 34-37, Claims 26-29, 31-32, 34-37 are rejected for the same reasons as rejection to claims 3-6, 8-9, 11-14 above respectively.

21. As per claim 38, Claim 38 is rejected for the same reasons as rejection to claim 1 above.

*Claim Rejections - 35 USC § 103*

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 7, 10, 20, 23, 30 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bahlaman, US 6,487,594, in view of 'Official Notice'.

24. As per claim 7, Bahlmann does not teach hybrid fiber optic and coaxial network. However, "Official Notice" is taken that the concept and advantages of providing for a hybrid fiber co-axial network for transportation purposes is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include a portion of common network is a hybrid network with Bahlmann

because it would provide for faster and greater range of transportation.

25. As per claim 10, Bahlmann does not teach the system of claim 1, wherein at least a portion of the common network comprises a European Data Over Cable Service Interface Specification. However, "Official Notice" is taken that the concept and advantages of providing for a European Data Over Cable Service Interface Specification network transportation purposes in another country is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include European Data Over Cable Service Interface Specification network because it would provide for other modes of operation in other countries/territories.

26. As per claims 20 and 30, claims 20 and 30 are rejected for the same reasons as rejection to claim 7 above.

27. As per claims 23 and 33, claims 23 and 33 are rejected for the same reasons as rejection to claim 10 above.

### *Conclusion*

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "System method and computer program product for supporting multiple service providers with a trouble ticket capability".

- |      |  |                   |
|------|--|-------------------|
| i.   | US 5953389   | Pruett et al.     |
| ii.  | US 6091713   | Lechleider et al. |
| iii. | US 2002/0087383  | Gogger et al.     |
| iv.  | "Vendors unify system tools" Leon, Mark <u>Infoworld</u> Dec 18, 1995. Vol. 17, Iss. 51; |                   |



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v. "The help desk market: disarray and disrepair", Hecht, Bradley Datamation Dec 1996.

vi. "Network Management Alternative offerings look good while vendors of conventional platforms come to grips with the challenges of distributed computing", Data Communications Oct 21, 1994.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ  
May 3, 2004

  
**ZARNI MAUNG**  
**PRIMARY EXAMINER**